

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

CR 19-40056

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

GERALD "JERRY" ELDON GOSMIRE,

Defendant.

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The undersigned parties stipulate that the following facts are true and establish a factual basis for the plea in the action pursuant to Federal Rules of Criminal Procedure 11(b)(3):

My name is Gerald "Jerry" Eldon Gosmire.

I own 35 acres of property outside of Hartford, SD. On the property, I operate a junkyard business known as "Winfred Iron & Metal." Neither myself, nor Winfred Iron & Metal had a Federal Explosives License (FEL).


On or about November 27, 2018, a search warrant was executed on my property and explosives were found, in particular thirty-five (35) cardboard explosive devices, each containing a fuse and flash powder consisting of potassium perchlorate and aluminum, and two plastic explosive devices, each containing a fuse and flash powder consisting of potassium perchlorate and aluminum.

I admit to have knowingly received the explosive materials without a license or permit issued under the provisions of Title 18, United States Code, Chapter 40.

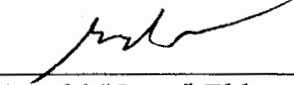
My actions were all in violation of 18 U.S.C. §§ 842(a)(3)(A) and 844(a)(1).

RONALD A. PARSONS, JR.  
United States Attorney


October 24, 2019  
Date

  
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10 - 24 - 2019  
Date

  
Gerald "Jerry" Eldon Gosmire  
Defendant

10 - 24 - 2019  
Date

  
John E. Taylor  
Attorney for Defendant